

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY</b>	
	<b>Chapter 8:</b> Out-Of-Home Care	<b>Effective Date:</b> July 1, 2021
	<b>Section 49:</b> Funeral and Burial Services for a Child In Out-of-Home Care	<b>Version:</b> 4

## POLICY OVERVIEW

It is important to ensure when planning for funeral and burial services for a child who is in out-of-home care the wishes of the family, along with acceptable standards, are taken into consideration. This includes any death that is sudden or unexpected and deaths due to a medical condition.

## PROCEDURE

If Child Abuse or Neglect (CA/N) is suspected to be the cause of death, a report should be immediately made to the DCS Child Abuse Hotline (Hotline) and to the Local Law Enforcement Agency (LEA).

The Indiana Department of Child Services (DCS) will notify the parents and siblings (if appropriate) on the day of the child's death or as soon as reasonably possible, regardless of whether the death occurs on a week day or weekend. If possible, this notification should be coordinated with the LEA and the Coroner. Notification should occur in person. If the biological parents and/or siblings live in another county or state, DCS will request immediate assistance from the specific county or state to make face-to-face contact with the child's parents.

**Note:** If Termination of Parental Rights (TPR) has been ordered, notification to the family is not required. However, if it is determined to be in the best interest of the surviving siblings and family, the biological parents, siblings, and/or extended family may be notified of the child's death when TPR has been ordered. To the extent possible, the family should also be notified in person.

DCS will notify the court in writing of the child's death as soon as reasonably possible, but no later than one (1) business day following the death or the first business day following a weekend or holiday.

DCS will work with the biological family, or other persons as specified by IC 29-2-19-17, regarding funeral, burial, and/or cremation arrangements and expenses. DCS may provide up to \$4,000.00 in financial assistance related to funeral and burial costs for children who are ineligible for Medicaid benefits and up to \$2,150.00 for children who are eligible for Medicaid benefits. If the biological family is willing and able to assume responsibility for the funeral, burial, and/or cremation, they should be encouraged to do so.

**Note:** All costs that exceed the allotted amount for financial assistance will require RM approval. DCS staff should refrain from advising the family of funding amounts without prior approval from the RM. All approved vendors will need to complete an Automated Direct Deposit Authorization Agreement and in order to receive payment.

If the biological family is unable to assume responsibility for the funeral, burial, and/or cremation, DCS may provide financial assistance to the family and/or contact local funeral homes and cemeteries to provide a basic service and burial. DCS will consider the wishes of the biological family in making arrangements for the child's burial. DCS will explore resources such as insurance policies and Medicaid to assist with fees associated with funeral, burial, or cremation prior to offering any financial assistance.

DCS will:

1. Make a report of CA/N to the Hotline and LEA if CA/N is suspected;
2. Notify the biological parents and siblings of the child's death in person on the day of the child's death or as soon as reasonably possible;

**Note:** If TPR has been ordered, notification to the family is not required. However, if it is determined to be in the best interest of the surviving siblings and family, the biological parents, siblings, and/or extended family may be notified of the child's death when TPR has been ordered. This notification should occur in person unless unforeseen circumstances prohibit this from happening.

3. Notify the court in writing and via telephonic communication of the child's death as soon as reasonably possible or within one (1) business day following the death or the first business day after a weekend or holiday;
4. Contact the Medicaid Enrollment Unit (MEU) to verify if the child is eligible for funeral, burial, and/or cremation benefits.

**Note:** If a child is eligible for Medicaid benefits, the maximum allowable burial assistance is \$2,000.00 (\$1,200.00 for the Funeral Director's expenses and \$800.00 for cemetery expenses). Medicaid will not cover the cost of a headstone. Additional funding may be available through a Request for Additional Funding.

5. Assist the family, or other persons as specified by IC 29-2-19-17, in making funeral, burial, and/or cremation arrangements for the child;

**Note:** If the biological parents are deceased, DCS should proceed with making funeral and burial arrangements on behalf of the child and consider the wishes of extended family members, resource parents, and/or persons identified by code, if possible.

6. Explore community resources available to assist the family with funeral, burial, and/or cremation expenses. Community resources that may be contacted for possible assistance include, but are not limited to:
  - a. Trustee's Office,
  - b. Community foundations,
  - c. Community clubs,
  - d. Churches,
  - e. Salvation Army, and
  - f. Goodwill.
7. Consult with the Regional Finance Manager (RFM) regarding financial assistance;
8. Ensure surviving siblings, including children under the care and supervision of DCS, are able to participate in funeral services as appropriate.
9. Assist the family in locating community resources to address grief or other issues identified by the family, associated with the loss of the child.

To request DCS financial assistance that exceeds the allotted amount:

1. The FCM will complete the Request for Additional Funding, detailing the need for assistance and submit to the FCM Supervisor for approval or denial;
2. The FCM Supervisor will review and approve or deny the Request for Additional Funding. The FCM Supervisor will immediately notify the FCM if the request is denied. If the FCM Supervisor approves the appeal, it will be submitted to the Local Office Director (LOD) for approval or denial;
3. The LOD will approve or deny the Request for Additional Funding. If the LOD approves the appeal, the written request will be sent to the Regional Manager (RM), and if approved, the RM will send a copy to the RFM; and
4. The RM will notify the LOD of the final determination via written correspondence.

#### **LEGAL REFERENCES**

- [IC 12-14-17-2\(b\): Application of section: funeral expenses payment: preferred claim](#)
- [IC 12-14-17-3: Cemetery expenses payment: preferred claim](#)
- [IC 29-2-19-17 Priority among individuals as to right to control disposition of decedent's body and make other arrangements](#)
- [IC 29-3-5-3 Findings: appointment of guardianship: protective orders](#)

#### **RELEVANT INFORMATION**

##### **Definitions**

###### Acceptable Standards

DCS defines acceptable standards as a basic funeral and burial or cremation services where surviving siblings, relatives, foster parents, DCS staff, service providers, school personnel, and any other pertinent individuals in the child's life are given the opportunity to pay their respects and grieve the child's death through any combination of the following services: a visitation/viewing, funeral/memorial services, burial or cremation services (including a headstone).

###### Support Services for DCS Employees

Support services are available to assist DCS employees following the death of a child. Any employee may request an individual or group Critical Incident Stress Management (CISM) Response by contacting the DCS Critical Incident Response Team (CIRT) Liaisons via email or at (317) 407-6237 ( see policy GA-17 Critical Incident Response). The Employee Assistance Program (EAP) is also available to employees by calling (800) 223-7723 or visiting Anthem EAP website (use "State of Indiana" to log in).

##### **Forms and Tools**

- [Anthem EAP](#)
- [Automated Direct Deposit Authorization Agreement \(SF47551\)](#)
- [DCS Critical Response Team Email](#)
- [Request for Additional Funding \(SF54870\)](#)
- [W-9 Request for Taxpayer Identification Number and Certification](#)

##### **Related Policies**

- [GA-17 Critical Incident Response](#)